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EXAMINER	
JERABEK, KELLY L	
ART UNIT	PAPER NUMBER
2612	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/747,680	FUNSTON ET AL.	
	Examiner	Art Unit	
	Kelly L. Jerabek	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 23 February 2005.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-41 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) 3-8,12-14,16,18-26,29 and 35 is/are allowed.

6)☒ Claim(s) 1-2, 9-11, 15, 17, 27-28, 30-34, and 36-41 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 4/23/2005 have been fully considered but they are not persuasive.

Applicant's arguments (Amendment page 14) state that one skilled in the art would not be motivated to combine Miyano with Niikawa as the Examiner has done and that since the two approaches are so fundamentally different substituting one approach for the other would be unfeasible. The Examiner respectfully disagrees. The Niikawa reference performs a white balance operation and displays an indication of an illuminant to which a color value is assigned and the Miyano reference teaches a method for adjusting the white balance of an image according to the surrounding illuminants. Therefore, the Examiner is combining the references in the following 103 rejection: Niikawa discloses in figures 1-3 a digital camera (1) including a camera body (2) and a CCD (303) for capturing an ambient light multicolored electronic image (page 2, paragraphs 31-36). The camera also includes an operation section for allowing a user to input settings such as white balance, exposure compensation, and scene in order to produce a corrected image and display it along with an original captured image (page 6, paragraphs 123-130). The LCD (10) (user interface) shows and indication of the selected settings such as "white balance: daylight" (figure 16A). Other values for white

balance may also be selected such as “tungsten” or “fluorescent” as shown in table 2 (page 5, paragraph 112). These values for white balance are being read as an indication of an illuminant to which a color value is assigned because the white balance settings “tungsten”, fluorescent”, and “daylight” represent different illuminants and each one represents a different color value. Although Niikawa discloses different forms of white balancing including different illuminants such as “tungsten, fluorescent, daylight” based on a selection by a user, he fails to disclose a look-up table having the detected color value assigned to one of a designated illuminant and one or more non-designated illuminants.

Miyano discloses in figure 1 an auto white-balance adjusting device. The auto white-balance adjusting device includes a block representative value calculating circuit (1) that calculates an average value (color value) for all of the pixels (R,G,B) of an electronic input signal (col. 8, lines 37-49). The auto white-balance adjusting device also includes a fluorescent lamp block average value calculation circuit (2) and a solar tungsten light block average value calculation circuit (3) and a brightest block average value calculation circuit (9) used to select block representative values corresponding to the color difference signal planes disclosed in figures 3 –5 (col. 8, line 37 – col. 9, line 61). The examiner is reading the entire auto white-balance adjusting device including circuits 2,3, and 9 as a look-up table having a color value assigned to one of a designated illuminant and one or more non-designated illuminants. Additionally, figures 3-5 show that all of the illuminants have a color cast relative to one another. At a third stage weighting factors for the fluorescent lamp average value block, the solar/tungsten

light average value block, and the brightest block average value are determined (col. 10, line 5 – col. 12, line 35). The examiner is reading the weighting factors as a means for determining a designated illuminant and a non-designated illuminant. The block with the largest weighting factor is being read as the designated illuminant and the others as the non-designated illuminants. Finally, a white balance adjustment is performed based on the weighting factors (col. 12, lines 36-50). The white balance adjusted produces a mixed signal based on the ratios of combination for the respective light sources (col. 12, lines 50-67). Thus, it can be seen that white balancing the electronic image imparts a color cast relative to the designated illuminant and the non-designated illuminants. Therefore, it would have been obvious for one skilled in the art to have been motivated to replace the manual white balance selection disclosed by Niikawa with the concept of adjusting white balance based on the detected color value of a captured electronic image as disclosed by Miyano. **Doing so would provide a means for providing a device for appropriately adjusting the white balance of an image of the subject irradiated by a plurality of light sources or by an unidentified light source (Miyano: col. 2, lines 7-11).**

Applicant's arguments (Amendment page 15) states that claims 22, 27, and 36 differ from the combination of Niikawa in view of Miyano in that the references do not suggest singly or in combination the "matching" required step of claims 22, 27, and 36. The Examiner respectfully disagrees. Miyano discloses an auto white-balance adjusting device includes a block representative value calculating circuit (1) that calculates an

average value (color value) for all of the pixels (R,G,B) of an electronic input signal (col. 8, lines 37-49). The auto white-balance adjusting device also includes a fluorescent lamp block average value calculation circuit (2), a solar tungsten light block average value calculation circuit (3), and a brightest block average value calculation circuit (9) used to select block representative values corresponding to the color difference signal planes disclosed in figures 3 –5 (col. 8, line 37 – col. 9, line 61). **Thus, it can be seen that the color value calculated by the block representative value calculating circuit (1) is matched (selecting block representative values) to designated/reference illuminants (solar, tungsten, brightness).** The examiner is reading entire auto-white balance device including circuits 2,3, and 9 as a look-up table having a color value assigned to one of a designated illuminant and one or more non-designated illuminants. Additionally, figures 3-5 show that all of the illuminants have a color cast relative to one another. At a third stage weighting factors for the fluorescent lamp average value block, the solar/tungsten light average value block, and the brightest block average value are determined (col. 10, line 5 – col. 12, line 35). **The examiner is reading the weighting factors as a means for determining a designated/reference illuminant and a non-designated illuminant. The block with the largest weighting factor is being read as the designated/reference illuminant and the others as the non-designated illuminants.** Finally, a white balance adjustment is performed based on the weighting factors (col. 12, lines 36-50). The white balance adjusted produces a mixed signal based on the ratios of combination for the respective light sources (col. 12, lines 50-67). Thus, it can be seen that white

balancing the electronic image imparts a color cast relative to the designated illuminant and the non-designated illuminants.

Applicant's arguments with respect to claims 1-2, 9-11, 15, 17, 27-28, 30-34, and 36-41 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2, 9-10, 15, 27, 30-33, 36-38, and 40-41 rejected under 35 U.S.C. 103(a) as being unpatentable over Niikawa et al. US 2002/0171747 in view of Miyano US 5,659,357 and further in view of Takagi US 5,710,948 .

Re claim 1, Niikawa discloses in figures 1-3 a digital camera (1) including a camera body (2) and a CCD (303) for capturing an ambient light multicolored electronic image (page 2, paragraphs 31-36). The camera also includes an operation section for allowing a user to input settings such as white balance, exposure compensation, and

scene in order to produce a corrected image and display it along with an original captured image (page 6, paragraphs 123-130). The LCD (10) (user interface) shows and indication of the selected settings such as "white balance: daylight" (figure 16A). Other values for white balance may also be selected such as "tungsten" or "fluorescent" as shown in table 2 (page 5, paragraph 112). These values for white balance are being read as an indication of an illuminant to which a color value is assigned because the white balance settings "tungsten", fluorescent", and "daylight" represent different illuminants and each one represents a different color value. Although the Niikawa reference discloses different forms of white balancing including different illuminants such as "tungsten, fluorescent, daylight" based on a selection by a user, it fails to disclose a look-up table having the detected color value assigned to one of a designated illuminant and one or more non-designated illuminants.

Miyano discloses in figure 1 an auto white-balance adjusting device. The auto white-balance adjusting device includes a block representative value calculating circuit (1) that calculates an average value (color value) for all of the pixels (R,G,B) of an electronic input signal (col. 8, lines 37-49). The auto white-balance adjusting device also includes a fluorescent lamp block average value calculation circuit (2) and a solar tungsten light block average value calculation circuit (3) and a brightest block average value calculation circuit (9) used to select block representative values corresponding to the color difference signal planes disclosed in figures 3 –5 (col. 8, line 37 – col. 9, line 61). The examiner is reading the entire auto white-balance adjusting device including circuits 2,3, and 9 as a look-up table having a color value assigned to one of a

designated illuminant and one or more non-designated illuminants. Additionally, figures 3-5 show that all of the illuminants have a color cast relative to one another. At a third stage weighting factors for the fluorescent lamp average value block, the solar/tungsten light average value block, and the brightest block average value are determined (col. 10, line 5 – col. 12, line 35). The examiner is reading the weighting factors as a means for determining a designated illuminant and a non-designated illuminant. The block with the largest weighting factor is being read as the designated illuminant and the others as the non-designated illuminants. Finally, a white balance adjustment is performed based on the weighting factors (col. 12, lines 36-50). The white balance adjusted produces a mixed signal based on the ratios of combination for the respective light sources (col. 12, lines 50-67). Thus, it can be seen that white balancing the electronic image imparts a color cast relative to the designated illuminant and the non-designated illuminants. Therefore, it would have been obvious for one skilled in the art to have been motivated to replace the manual white balance selection disclosed by Niikawa with the concept of adjusting white balance based on the detected color value of a captured electronic image as disclosed by Miyano. Doing so would provide a means for providing a device for appropriately adjusting the white balance of an image of the subject irradiated by a plurality of light sources or by an unidentified light source (Miyano: col. 2, lines 7-11).

The Miyano reference states that the auto white-balance adjusting device includes a block representative value calculating circuit (1) that calculates an average value (color value) for all of the pixels (R,G,B) of an electronic input signal (col. 8, lines 37-49). Miyano states that the auto white-balance adjusting device serves in an

electronic still camera but does not specifically mention the device that provides the electronic input signal. Therefore, although the combination of the Niikawa an Miyano references disclose all of the above limitations, the combination fails to distinctly disclose a color detector for directly measuring ambient light in which said ambient light image is captured to provide a color value.

Takagi discloses in figure 1 a camera having a color temperature meter. The camera includes a color detector (11) disposed in the camera body for directly measuring ambient light to provide a color value (R,G,B signals) of the ambient light which is then used for image correction (col. 2, line 54 – col. 3, line 5; col. 4, lines 5-59). Therefore, it would have been obvious for one skilled in the art to have been motivated to include a color detector as disclosed by Takagi in the camera including an auto-white balancing device as disclosed by Niikawa in view of Miyano. Doing so would provide a means for using a photometry element to measure the color temperature of the light source illuminating the subject field and output a color value (Takagi: col. 2, lien 54 – col. 3, line 5).

Re claim 2, Miyano states that the block representative value calculating circuit (1) uses the average values of the signals from all pixels (R,G,B) in the block in order to calculate the representative value (col. 8, lines 38-49). Therefore, the block representative value calculating circuit (1) must have 3 subdetectors corresponding to the three colors R,G,B. Also, the color value is trichromatic (R,G,B).

Re claim 9, Niikawa discloses in figures 1-3 a digital camera (1) including a camera body (2) and a CCD (303) for capturing an ambient light multicolored electronic image (page 2, paragraphs 31-36). The camera also includes an operation section for allowing a user to input settings such as white balance, exposure compensation, and scene in order to produce a corrected image and display it along with an original captured image (page 6, paragraphs 123-130). An original captured image (20a) is displayed on the EVF (20) and a corrected image (verification image) (eg: white balanced image) (10a) is displayed on the LCD (10) (page 6, paragraphs 126-127). Although Niikawa discloses different forms of white balancing including different illuminants such as "tungsten, fluorescent, daylight" based on a selection by a user, he fails to disclose a look-up table having the detected color value assigned to one of a designated illuminant and one or more non-designated illuminants.

Miyano discloses in figure 1 an auto white-balance adjusting device. The auto white-balance adjusting device includes a block representative value calculating circuit (1) that calculates an average value (color value) for all of the pixels (R,G,B) of an electronic input signal (col. 8, lines 37-49). The auto white-balance adjusting device also includes a fluorescent lamp block average value calculation circuit (2) and a solar tungsten light block average value calculation circuit (3) and a brightest block average value calculation circuit (9) used to select block representative values corresponding to the color difference signal planes disclosed in figures 3 –5 (col. 8, line 37 – col. 9, line 61). Thus, it can be seen that the color value calculated by the block representative value calculating circuit (1) is matched (selecting block representative values) to

designated/reference illuminants (solar, tungsten, brightness). The examiner is reading the entire auto white-balance adjusting device including circuits 2,3, and 9 as a look-up table having a color value assigned to one of a designated illuminant and one or more non-designated illuminants. Additionally, figures 3-5 show that all of the illuminants have a color cast relative to one another. At a third stage weighting factors for the fluorescent lamp average value block, the solar/tungsten light average value block, and the brightest block average value are determined (col. 10, line 5 – col. 12, line 35). The examiner is reading the weighting factors as a means for determining a designated/reference illuminant and a non-designated illuminant. The block with the largest weighting factor is being read as the designated/reference illuminant and the others as the non-designated illuminants. Finally, a white balance adjustment is performed based on the weighting factors (col. 12, lines 36-50). The white balance adjusted produces a mixed signal based on the ratios of combination for the respective light sources (col. 12, lines 50-67). Thus, it can be seen that white balancing the electronic image imparts a color cast relative to the designated illuminant and the non-designated illuminants. Therefore, it would have been obvious for one skilled in the art to have been motivated to replace the manual white balance selection disclosed by Niikawa with the concept of adjusting white balance based on the detected color value of a captured electronic image as disclosed by Miyano. Doing so would provide a means for providing a device for appropriately adjusting the white balance of an image of the subject irradiated by a plurality of light sources or by an unidentified light source (Miyano: col. 2, lines 7-11).

The Miyano reference states that the auto white-balance adjusting device includes a block representative value calculating circuit (1) that calculates an average value (color value) for all of the pixels (R,G,B) of an electronic input signal (col. 8, lines 37-49). Miyano states that the auto white-balance adjusting device serves in an electronic still camera but does not specifically mention the device that provides the electronic input signal. Therefore, although the combination of the Niikawa an Miyano references disclose all of the above limitations, the combination fails to distinctly disclose a color detector for directly measuring ambient light in which said ambient light image is captured to provide a color value.

Takagi discloses in figure 1 a camera having a color temperature meter. The camera includes a color detector (11) disposed in the camera body for directly measuring ambient light to provide a color value (R,G,B signals) of the ambient light which is then used for image correction (col. 2, line 54 – col. 3, line 5; col. 4, lines 5-59). Therefore, it would have been obvious for one skilled in the art to have been motivated to include a color detector as disclosed by Takagi in the camera including an auto-white balancing device as disclosed by Niikawa in view of Miyano. Doing so would provide a means for using a photometry element to measure the color temperature of the light source illuminating the subject field and output a color value (Takagi: col. 2, lien 54 – col. 3, line 5).

Re claim 10, as shown in figures 3-5 of Miyano the fluorescent white signal area, the solar/tungsten white signal area, and the brightest block signal area all correspond

to different color temperatures. It is well known that the color temperature of daylight is 5500 degrees Kelvin, the color temperature of fluorescent light is 4500 degrees Kelvin and the color temperature of tungsten light is 2900 degrees Kelvin.Therefore, depending on the weighting values for each of the illuminants the relative color casts may correspond to a reduction in correlated color temperature.

Re claim 15, the CCD (303) (array imager) disclosed by Niikawa generates an image signal having red, green, and blue color components (page 2, paragraph 42). Therefore, since the CCD generates color signals it has an R,G,B color filter.

Re claim 27, see claim 9.

Re claim 30, Miyano states that the electronic image inputted to the block representative value calculating circuit (1) is pixilated and the block representative value calculating circuit (1) samples pixels of the electronic image (col. 8, lines 38-49).

Re claim 31, Niikawa states that a corrected image (10a) is displayed on an LCD (10) (page 6, lines 126-127). The Examiner takes **Official Notice** that it is well known in the art that a captured image undergoes some calibration operation before it is displayed on an LCD of the camera. Therefore, it would have been obvious for one skilled in the art to have been motivated to calibrate a captured image prior to displaying it on the LCD.

Re claim 32, the CCD (303) (array imager) disclosed by Niikawa generates an image signal having red, green, and blue color components (page 2, paragraph 42). Therefore, since the CCD generates color signals it has an R,G,B color filter.

Re claim 33, Miyano states that the electronic image inputted to the block representative value calculating circuit (1) is pixilated and the block representative value calculating circuit (1) samples pixels of the electronic image (col. 8, lines 38-49).

Re claim 36, Niikawa discloses in figures 1-3 a digital camera (1) including a camera body (2) and a CCD (303) for capturing an ambient light multicolored electronic image (page 2, paragraphs 31-36). The camera also includes an operation section for allowing a user to input settings such as white balance, exposure compensation, and scene in order to produce a corrected image and display it along with an original captured image (page 6, paragraphs 123-130). An original captured image (20a) is displayed on the EVF (20) and a corrected image (verification image) (eg: white balanced image) (10a) is displayed on the LCD (10) (page 6, paragraphs 126-127). Therefore, two copies of the electronic image are provided Also, depending on the operations performed by the user the two images may be color balanced differently (page 6, paragraphs 126-127). Although Niikawa discloses different forms of white balancing including different illuminants such as "tungsten, fluorescent, daylight" based

on a selection by a user, he fails to disclose matching a color value to one of a plurality of reference illuminants.

Miyano discloses in figure 1 an auto white-balance adjusting device. The auto white-balance adjusting device includes a block representative value calculating circuit (1) that calculates an average value (color value) for all of the pixels (R,G,B) of an electronic input signal (col. 8, lines 37-49). The auto white-balance adjusting device also includes a fluorescent lamp block average value calculation circuit (2) and a solar tungsten light block average value calculation circuit (3) and a brightest block average value calculation circuit (9) used to select block representative values corresponding to the color difference signal planes disclosed in figures 3 –5 (col. 8, line 37 – col. 9, line 61). Thus, it can be seen that the color value calculated by the block representative value calculating circuit (1) is matched (selecting block representative values) to designated/reference illuminants (solar, tungsten, brightness). The examiner is reading the entire auto white-balance adjusting device including circuits 2,3, and 9 as a look-up table having a color value assigned to one of a designated illuminant and one or more non-designated illuminants. Additionally, figures 3-5 show that all of the illuminants have a color cast relative to one another. At a third stage weighting factors for the fluorescent lamp average value block, the solar/tungsten light average value block, and the brightest block average value are determined (col. 10, line 5 – col. 12, line 35). The examiner is reading the weighting factors as a means for determining a designated/reference illuminant and a non-designated illuminant. The block with the largest weighting factor is being read as the designated/reference illuminant and the

others as the non-designated illuminants. Finally, a white balance adjustment is performed based on the weighting factors (col. 12, lines 36-50). The white balance adjusted produces a mixed signal based on the ratios of combination for the respective light sources (col. 12, lines 50-67). Thus, it can be seen that white balancing the electronic image imparts a color cast relative to the designated illuminant and the non-designated illuminants. Therefore, it would have been obvious for one skilled in the art to have been motivated to replace the manual white balance selection disclosed by Niikawa with the concept of adjusting white balance based on the detected color value of a captured electronic image as disclosed by Miyano. Doing so would provide a means for providing a device for appropriately adjusting the white balance of an image of the subject irradiated by a plurality of light sources or by an unidentified light source (Miyano: col. 2, lines 7-11).

The Miyano reference states that the auto white-balance adjusting device includes a block representative value calculating circuit (1) that calculates an average value (color value) for all of the pixels (R,G,B) of an electronic input signal (col. 8, lines 37-49). Miyano states that the auto white-balance adjusting device serves in an electronic still camera but does not specifically mention the device that provides the electronic input signal. Therefore, although the combination of the Niikawa an Miyano references disclose all of the above limitations, the combination fails to distinctly disclose a color detector for directly measuring ambient light in which said ambient light image is captured to provide a color value.

Takagi discloses in figure 1 a camera having a color temperature meter. The camera includes a color detector (11) disposed in the camera body for directly measuring ambient light to provide a color value (R,G,B signals) of the ambient light which is then used for image correction (col. 2, line 54 – col. 3, line 5; col. 4, lines 5-59). Therefore, it would have been obvious for one skilled in the art to have been motivated to include a color detector as disclosed by Takagi in the camera including an auto-white balancing device as disclosed by Niikawa in view of Miyano. Doing so would provide a means for using a photometry element to measure the color temperature of the light source illuminating the subject field and output a color value (Takagi: col. 2, lien 54 – col. 3, line 5).

Re claim 37, Niikawa illustrates a display/correction mode of a digital camera in figures 16A and 16B. EVF (20) and LCD (10) display original and corrected images depending on the status of the display mode (page 6, paragraphs 123-130). Therefore, it can be seen that first and second copies of a taken image are displayed in selective alternation depending on the status of the display mode.

Re claim 38, Niikawa states that in the digital camera (1) an original captured image (20a) is displayed on EVF (20) and a corrected image (10a) is displayed on LCD (10). A user presses an OK button (32) to input settings in order to complete the input operation (page 6, paragraphs 126-130). Therefore, the examiner is reading the time between originally displaying the original image on the EVF (20) and the pressing of one

of the OK buttons (32) as the time period following the capturing and thus at the end of the time period (a.k.a. when the OK button is pushed) a second copy is shown. When the user presses OK button a new corrected image reflecting the correction of the pressed button is shown, therefore it can be seen that a second copy (newly corrected image) is displayed on the LCD (10) at the end of the time period (page 6, paragraph 128).

Re claim 40, Niikawa also states that before the OK button (32) is pressed and after one of the correction buttons (U,D,L,R) is pressed a corrected image (10a) is displayed on the LCD (10) to be contrasted with the original image (20a) displayed on the EVF (20) (page 6, paragraph 126-127). Therefore, the examiner is reading this feature as showing the second copy (10e) during the time period.

Re claim 41, Niikawa states that a corrected image (10a) is displayed on an LCD (10) (page 6, lines 126-127). The Examiner takes **Official Notice** that it is well known in the art that a captured image undergoes some calibration operation before it is displayed on an LCD of the camera. Therefore, it would have been obvious for one skilled in the art to have been motivated to calibrate a captured image prior to displaying it on the LCD.

Claims 11, 17, 28, and 34 rejected under 35 U.S.C. 103(a) as being unpatentable over Niikawa et al. in view of Miyano in view of Takagi and further in view of Higashihara et al. US 6,160,581.

Re claim 11, Niikawa in view of Miyano and further in view of Takagi disclose all of the limitations according to claim 9 above. However, the combination of Niikawa, Miyano, and Takagi fails to distinctly state that the camera also includes both a film capture unit, an electronic imager, and a shutter release to direct an ambient light image to the film capture unit and the electronic imager.

Higashihara discloses in figure 3 a single lens reflex camera including an image sensor (10) to convert an object image into an electrical signal and an exposure part causing a film (F) (storing an archival image in a storage media) loaded on the camera to be exposed to light, and a shutter (S) to direct the ambient light image to both the image sensor (10) and the film (F) (col. 3, lines 50-65). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the concept of a camera including an exposure part causing a film to be exposed to light and an image sensor to convert an object image into an electrical signal as disclosed by Higashihara in the camera capable of white balance and inverse white balance processing as disclosed by Niikawa in view of Miyano and further in view of Takagi. Doing so would provide a means for displaying a stored electrical signal so that the state of an object image obtained at the time of an exposure of a silver-halide film can be confirmed (Higahsihara: col. 1, lines 24-32).

Re claim 17, see claim 11.

Re claim 28, see claim 11.

Re claim 34, see claim 11.

Claim 39 rejected under 35 U.S.C. 103(a) as being unpatentable over Niikawa et al. in view of Miyano in view of Takagi and further in view of Fujii US 6,686,965.

Re claim 39, the combination of Niikawa in view of Miyano in view of Takagi discloses all of the limitations of claim 38 above. The combination of Niikawa, Miyano, and Takagi fails to distinctly state that the first image is deleted following a time period.

Fujii discloses in figure 1 an electronic camera including a display (9). Image signals are read from memory (6) in response to pressed reproduction button (11a) in order to display images on the display (9). Additionally, image signals may be erased from memory (6) in response to pressed erasing button (11b) (col. 3, lines 20-30). Therefore, it would have been obvious for one skilled in the art to have been motivated to include erasing button (11b) for erasing image signals from a memory as disclosed by Fujii in the camera capable of displaying multiple images as disclosed by Niikawa in

view of Miyano in view of Takagi. Doing so would provide a means for allowing a user to erase an unwanted image from memory (col. 3, lines 28-30).

Allowable Subject Matter

Claims 3-8, 12-14, 16, 18-26, 29, and 35 allowed.

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record fail to anticipate or render obvious the following technical features as recited in the highlighted claims:

Re claims 12-14, 16, 20-21, 29, and 35, the prior art fails to teach or suggest "A camera usable for capturing images of scenes illuminated by ambient light, said camera comprising: a look-up table...wherein one or more of said reference illuminants are each equal to a correlated color temperature of an illumination source partially normalized by a predetermined photofinishing color cast reduction for that illumination source".

Re claim 19, the prior art fails to teach or suggest "A camera usable for capturing images of scenes illuminated by ambient light, said camera comprising: a control system...wherein said decreasing of said color temperature of said electronic image is

proportional to and opposite a white balance correction of said electronic image from the color temperature of said assigned reference illuminant to daylight".

Re claim 25, the prior art fails to teach or suggest "An image capture method usable in ambient light, comprising the steps of: ...changing said ambient light between said capturing and said measuring of said ambient light".

Re claims 3-8, 18, 22-24, and 26, the prior art fails to teach or suggest "A camera usable for capturing images of scenes illuminated by ambient light, said camera comprising: ...a control system color balancing said electronic image to impart a color cast relative to said designated illuminant and relative to said illuminant assigned to said color value, only when said illuminant assigned is one of said non-designated illuminants".

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly L. Jerabek whose telephone number is **(571) 272-7312**. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on **(571) 272-7308**. The fax phone number for submitting all Official communications is 703-872-9306. The fax phone number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at **(571) 273-7312**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KLJ

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